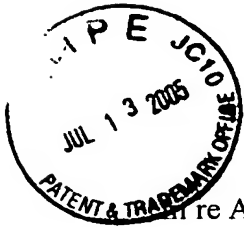


*fw*

*07-15-05*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Re Application of: Koji (nmi) Takeguchi  
Serial No.: 10/775,929  
Filing Date: February 10, 2004  
Title: Upgraded Flexible Open Ring Optical Network and Method

**Mail Stop: Amendments**  
Commissioner For Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

<p>Certificate of Mailing by Express Mail No. EV 733639210 US I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" under 37. C.F.R. 1.10 on the date shown below, and addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.</p> <p>Name: <i>Quincy Chambers</i> Quincy Chambers</p> <p>Date: July 13, 2005</p>
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**INFORMATION DISCLOSURE STATEMENT**

Under 37 C.F.R. §§ 1.56, .97, and .98, Applicant respectfully requests that the references listed in the attached PTO-1449 form be considered and cited in the examination of the Application. The present Application was filed after June 30, 2003. Therefore, under the July 11, 2003, waiver of 37 C.F.R. § 1.98(a)(2)(i) by the U.S. Patent and Trademark Office, copies of U.S. Patents and U.S. Patent Application Publications listed in the attached PTO-1449 form are not enclosed. Copies of all other references are enclosed for the convenience of the Examiner.

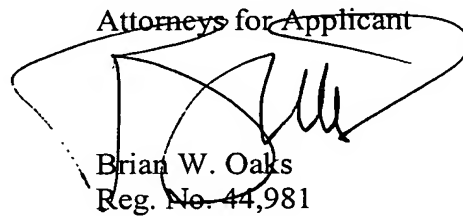
**REMARKS**

Pursuant to 37 C.F.R. § 1.97(b)(3), Applicant believes this Information Disclosure Statement has been filed before the mailing date of the first Official Action. Therefore, Applicant believes no fee is due. However, if a fee is required, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

BAKER BOTTS L.L.P.

Attorneys for Applicant

A handwritten signature in black ink, appearing to read "Brian W. Oaks", is written over a large, loopy, handwritten "X" or "Z" mark. The signature is positioned above the printed name and registration number.

Brian W. Oaks  
Reg. No. 44,981

Date: July 13, 2005

Correspondence Address:

**Customer Number**

**05073**

PTO-1449  <b>Information Disclosure Citation</b> of a Patent Application		<b>Application No.</b> 10/775,929		<b>Applicant(s)</b> Koji (nmi) Takeguchi		
		<b>Docket Number</b> 064731.0350	<b>Group Art Unit</b> Unknown	<b>Filing Date</b> February 10, 2004		

JUL 13 2005  
 PATENT AND TRADEMARK OFFICE

U.S. PATENT DOCUMENTS							
		DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE
	A	6,122,096	09/19/2000	Fatehi	359	341	08/29/1997
	B	6,137,608	10/24/2000	White	359	128	01/30/1998
	C	6,331,906	12/18/2001	Sharma et al.	359	119	09/29/1999
	D	6,525,852	02/25/2003	Egnell	359	127	06/09/1999
	E	6,631,018	10/07/2003	Milton et al.	359	119	08/27/1997
	F	6,658,013	12/02/2003	de Boer et al.	370	404	03/23/1999
	G	2002/0003639	01/10/2002	Arecco et al.	359	119	12/29/2000

FOREIGN PATENT DOCUMENTS								
		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	H	WO 03/104849 A2	12/18/2003	PCT	G02B		X	
	J	WO 99/03231	01/21/1999	PCT	H04L	12/46	X	
	J	EP 1 161 014 A1	12/05/2001	European Patent Office	H04J	14/02	X	

NON-PATENT DOCUMENTS		
	DOCUMENT (Including Author, Title, Source, and Pertinent Pages)	DATE
K	Communication from the European Patent Office, European Search Report for Application No. EP 05 00 1571, 06/17/2005, 3 pages	06/17/2005
L		
M		
N		
O		
P		

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

U.S. PATENT AND TRADEMARK OFFICE

DAL01:861069.1